## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:07-CV-337-DCK

NATHANIEL KELLY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	
	)	

THIS MATTER IS BEFORE THE COURT on "Plaintiff's Motion For Attorneys Fees And Costs Pursuant To The Equal Access To Justice Act, 5 U.S.C. § 504" (Document No. 10) filed December 20, 2007 and "Defendant's Response To Plaintiff's Application For Attorney Fees Pursuant To 5 U.S.C. § 504" (Document No. 11) filed January 2, 2008. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and this motion is now ripe for disposition.

In "Defendant's Response..." filed on January 2, 2008, the Commissioner of the Social Security Administration "advises that he will not oppose an award of legal fees in the amount of two thousand fifty-eight and 63/100s dollars (\$2,058.63) by the United States Social Security Administration to Plaintiff as full settlement in satisfaction of any and all claims for attorney's fees under the Equal Access to Justice Act, 5 U.S.C. § 50, and \$350.00 for the initial filing fee."

IT IS, THEREFORE, ORDERED that "Plaintiff's Motion For Attorneys Fees And Costs Pursuant To The Equal Access To Justice Act, 5 U.S.C. § 504" (Document No. 10) is GRANTED.

Signed: January 2, 2008

David C. Keesler
United States Magistrate Judge